

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:07CR3109
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
THERESA GATES,)	
)	
Defendant.)	

I am considering whether to reject the plea in this case because Ms. Gates has not clearly admitted that she knowingly and intentionally imported ephedrine into the United States from some place outside of the United States. (*See* filing 26 at CM/ECF pages 17-22.) I should not accept a plea of guilty if the defendant equivocates on the essentials of the crime. Either she admits that she knew she was ordering ephedrine from outside the United States for delivery into the United States or she does not. I will give the defendant one last opportunity to tell me. Therefore,

IT IS ORDERED that:

1. The defendant, her counsel and the prosecutor shall appear before me at a hearing on Friday, January 11, 2007, at 12:00 noon.
2. At the hearing, the defendant shall be prepared to admit or deny that she knew she was ordering ephedrine from outside the United States for delivery into the United States.
3. The report and recommendation (filing 23) will be held in abeyance until resolution of the foregoing matter.
4. The Clerk will provide Judge Piester with a copy of this memorandum and order.

December 19, 2007.

BY THE COURT:

s/ Richard G. Kopf

United States District Judge